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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,458	09/30/2003	Michel Chevanne	Q77711	2008

23373 7590 11/26/2007  
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WASHINGTON, DC 20037

EXAMINER
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HUSSAIN, TAUQIR

ART UNIT	PAPER NUMBER
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2152

MAIL DATE	DELIVERY MODE
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11/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/673,458	<b>Applicant(s)</b> CHEVANNE ET AL.	
	<b>Examiner</b> Tauqir Hussain	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to amendment /reconsideration filed on 09/21/2007, the amendment/reconsideration has been considered. Claims 7-8 have been canceled and claims 1-6 have been amended while claim 9 is newly added. Claims 1-6 and 9 are pending for examination, the rejection cited as stated below.

### ***Response to Arguments***

2. Applicant's arguments filed 09/21/2007 have been fully considered but they are not deemed to be persuasive. In remarks, applicant argued in substance that:

(a) Battat does not teaches, " the hierarchical relationship of the elements and sub-elements that constitute the equipment and ultimately the system as a whole" or " to store specific type of data "primary data representing an element within the level to which the element belongs..".

(b) Battat does not teaches, "each element is associated with a set of primary data stored in a memory which represents said element within the level to which said element belongs with no specific attachment to a level higher than said element and at least one set of secondary data stored in said memory which represents said element within the level to which said element belongs when said element is attached to a level higher than or equal to the level of said element in the hierarchy".

(c) Battat does not teaches, "Management means adapted, in the event of receiving a request designating a chosen level of a network equipment with or without attachment, to access said sets of primary and secondary data in order to extract from

the memory the sets of primary or secondary data of the elements of the equipment that belong to said designated level and to levels lower than said element, according to whether said level is designated with or without attachment”.

**As to arguments (a)** Examiner respectfully disagree and points to the citation as Battat discloses in Col.11, lines 1-30, how a computer is tied to hierarchical level of the network system, e.g. “campuses” contains a particular building, a particular floor, particular room and so on so forth, further, it can be seen from above citation that each element has the element properties associated with it which happens to be stored in central repository as depicted in Fig.10B.

**As to argument (b) and (c)** please see the rejection of claims 1 and 9 in rejection section.

Any remark, which is not in claimed language, is not being considered by Examiner.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 and 9, are rejected under 35 U.S.C. 102(b) as being anticipated by Battat et al. (Patent No.: US 6,289,380 B1), hereinafter “Battat”.

3. As to claims 1 and 9, Battat discloses the invention, including, a system for managing the display of images representing network equipments of a communication network (Battat, Abstract, lines 1-4, Fig.10A), said system elements associated with hierarchical levels (Battat, Abstract, lines 6-8), wherein each element is associated with a set of primary data stored in a memory (Battat, Col.11, lines 1-30, where "campuses" is an element, which has associated data with it e.g. particular building, particular floor, particular room etc are primary information, further network management system inherently uses one or more databases where all these information are stored e.g. Fig.1, repository) which represents said element within the level to which said element belongs with no specific attachment to a level higher than said element (Battat, Fig.10B, Col.12, lines 28-31, where VR\_3d properties are listed which are within the VR\_3d level) and at least one set of secondary data stored in said memory which represents said element within the level to which said element belongs when said element is attached to a level higher than or equal to the level of said element in the hierarchy (Battat, Fig.10B, where under "class level properties" the "plus" sign next to an item e.g. class\_flag, system, represents a secondary data which upon expanding reveals the data higher or equal to the level of in the hierarchy), and wherein said system further comprises management means adapted (Battat, Fig.10B, where CA-unicenter is a management means and further Col.7, lines 59-65, where inventive system is a management means), in the event of receiving a request designating a chosen level of a network equipment with or without attachment (Battat, Col.8, lines 7-10, where repository-102 responds to the request from visualization workstation for events or

Art Unit: 2152

notifications or object status change etc.), to access said sets of primary and secondary data in order to extract from the memory the sets of primary or secondary data of the elements of the equipment that belong to said designated level and to levels lower than said element (Battat, Col.11, lines 1-30, where object class could be primary data and object properties could be the secondary data and each property has no lower level after expansion e.g. Fig.10B, element-VR\_3d and these levels are attached to the class level object,), according to whether said level is designated with or without attachment (Battat, Fig.10B, where VR\_3d is designated without attachment since there is no lower state or level associated with properties of VR\_3d).

4. As to claim 2, Battat discloses the invention including, characterized in that said management means (GM) are adapted to send the extracted sets of primary or secondary data to a graphical interface (G) (Battat, Col.8, lines 7-13, where visualization work station means it has graphical user interface and get the information from various subsystem through agents which can be interpret as feeding the extracted data into graphical interface).

5. As to claim 3, Battat discloses the invention including, characterized in that some elements are associated with sets of primary and secondary data that are at least partly identical (Battat, Fig.10A, where icons of the primary element for operating systems are same).

6. As to claim 4, Battat discloses the invention including, characterized in that said management means (GM) are adapted to refresh the data of elements displayed in the

event of receiving a message reporting that an event relating to said elements has occurred within the network (Battat, Col.17, lines 43-48, where user interface is refreshed regularly and upon addition of any newly added device, added device appear into display).

7. As to claim 5, Battat discloses the invention including, a management server (S) of a communication network management system, characterized in that it includes a management system (D (Battat, Col.3, lines 5-13, where client/server system and multiple network management system is described).

8. As to claim 6, Battat discloses the invention including, characterized in that said management system (D) is installed in a control system (CM) (Battat, Col.3, lines 13-20, where inherently management system is installed on server to control workstation, application monitoring, licensing etc and where server is a controlling unit).

9. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references, as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tauqir Hussain whose telephone number is 571-270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571 272 3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

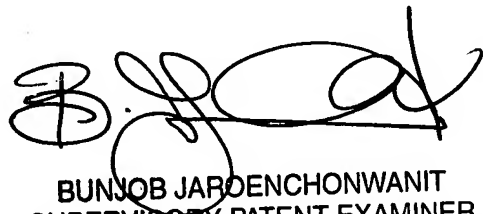


Art Unit: 2152

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

11/16/2007



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER

11/21/7